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RECEIVED  
MAR 05 2003  
CLERK, U.S. DISTRICT COURT  
SPOKANE, WA

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

STATE OF WASHINGTON,

NO. CT-03-5018-AAM

Plaintiff,

STIPULATION AND AGREED  
SCHEDULING ORDER

v.

SPENCER ABRAHAM, Secretary  
of Energy; and the UNITED  
STATES DEPARTMENT OF  
ENERGY,

Defendants.

I. STIPULATION

Comes now the parties State of Washington (State), and Spencer Abraham, United States Secretary of Energy and United States Department of Energy (DOE), by and through their undersigned attorneys, in agreement to the entry of the following Stipulation and proposed Agreed Scheduling Order in order to ensure an expedited and predictable schedule for presenting arguments to the Court regarding the State's motion for a preliminary injunction:

STIPULATION AND AGREED  
SCHEDULING ORDER - I

ATTORNEY GENERAL OF WASHINGTON  
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ORIGINAL

1. DOE will immediately suspend all further shipments of transuranic waste to the Hanford Nuclear Reservation in Eastern Washington for a period of 45 days from the date this Stipulation and Proposed Scheduling Order is signed;

2. The parties agree to the attached proposed Agreed Scheduling Order for presenting arguments regarding the State's motion for a preliminary injunction to the Court for approval. The United States reserves its right to seek to consolidate the State's motion with consideration of a dispositive motion on the merits. The State reserves the right to oppose any such motion by the United States.


DATED this 5<sup>th</sup> Day of March 2003.

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STIPULATION AND AGREED  
SCHEDULING ORDER - 2

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WILLIAM BEATTY  
Chief of Civil Division, Spokane  
Office of the United States Attorney  
Eastern District of Washington  
(509) 353-2767

Attorneys for Defendants

STIPULATION AND AGREED  
SCHEDULING ORDER - 3

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**II. AGREED SCHEDULING ORDER**

IT IS HEREBY ORDERED:

The above Stipulation and the following schedule is hereby APPROVED:


1. Friday, March 7, 2003: State Motion for Preliminary Injunction Due
2. Wednesday, March 26, 2003: DOE Response Due
3. Friday, April 4, 2003: State Reply Due
4. Friday, April 18, 2003, 10:00 a.m., in Yakima, WA: Oral Argument

DATED this \_\_\_\_ day of March, 2003.

\_\_\_\_\_  
ALAN A. McDONALD  
United States District Judge

Presented by:

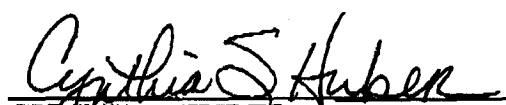
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\_\_\_\_\_  
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Approved as to form;  
Notice of Presentation Waived:

THOMAS SANSONETTI  
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STIPULATION AND AGREED  
SCHEDULING ORDER - 4

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**STIPULATION AND AGREED  
SCHEDULING ORDER - 5**

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